

## South Park Land Tenure Adjustment EA (CO-200-2005-EA)

### BLM RESPONSE TO COMMENTS

June 17, 2008

#### **Comment Group 1**

**General Comment:** Public request to acquire BLM parcels ( 116, 162)

**BLM Response:** Proposed alternative parcels 116 and 162 are in the exchange restricted category. These parcels could be made available for exchange purposes in the future with the restrictions for protection of resources consistent with the lands tenure language defined in the Final EA (p. 6). Currently BLM management priorities and budget constraints will not allow for processing similar realty authorizations. These circumstances may change.

#### **Comment Group 2**

**General Comment:** Public approval of Alternative D to protect wildlife habitat, marshes, and wetlands

**BLM Response:** BLM agrees Alternative D lands tenure allocation would protect South Park wildlife habitat, fen and mire wetlands over the long-term.

#### **Comment Group 3**

**General Comment:** BLM parcels (24, 26, 28, 32, 34, 37, 41, 51, 70, 168) should be changed from disposal to retention or exchange-restricted to protect the City of Aurora's Rights-of-Way (ROW), the Homestake pipeline, and Spinney Reservoir watershed. City of Aurora may be interested in pursuing a land exchange with BLM for these parcels in the future.

**BLM Response:** The land tenure category designation of these parcels will not impact or affect existing Rights-of-Way (ROW). ROW's are a title restriction and will be maintained should a land ownership change proceed. Any land tenure change would reserve all existing ROW restrictions, including those previously granted to the City of Aurora and the Homestake Pipeline.

BLM's position is that parcels 24, 26, 28, 32, 41, 51, 70, and 168 meet the acreage and access criteria for Category 1 designation. Furthermore, Category I-DISPOSAL (Table 1) does not forego and will allow future consideration of a land exchange with the City of Aurora (See land tenure definition p. 6)

#### **Comment Group 4**

**General Comment:** The CDOW is encouraged to see that the BLM has included in this Alternative the retention of over 40,000 acres. The CDOW commends your office for following

through on the goal of blocking up large tracts of land. The protection of these lands will greatly help wildlife and wildlife-related recreational activities in the South Park area.

- 1) Exchange (Category III) - There are numerous parcels in this category that we feel need to be retained due to their size and proximity to other public lands, easy public access, and wildlife related value. The parcels we have concern with for wildlife and public use are 18, 27, 33, 36, 38, 42, 44, 47, 48, 52, 61, 64, 105, and 115.
- 2) Exchange (Category III) - There are other parcels in this category that we would recommend for exchange to another public land management agency. These parcels include 5, 49, 53, 61, 74, 75, 78, 79, 97, 112, 116, 120, 164, and 165. This would provide for continued public access and wildlife management. The CDOW is still interested in acquiring parcels 164 and 165 due to their proximity to our facility in Fairplay.
- 3) Exchange (Category III) - The remaining parcels in the exchange category are 1, 6, 43, 55, 57, 58, 59, 60, 68, 71, 77, 82, 83, 84, 85, 87, 91, 101, 102, 124, 126, 131, 134, 136, 140, 146, 161, 162. Numerous parcels in this category are adjacent to State Land Board managed properties and their location helps the CDOW with access and management. Losing these parcels could negatively impact CDOW activities.
- 4) Disposal (Category I) - During the public meetings it was stated numerous times that one of the reasons for this project was to help in the management of small isolated parcels. It was stated that some of these parcels did not allow for public access. Parcel numbers 7, 8, 11, 12, 14, 15, 19, 20, 21, 24, 26, 28, 29, 31, 32, 34, 37, 39, 40, 41, 45, 46, 50, 51, 54, 62, 65, 67, 70, 72, 73, 76, 81, 90, 95, 96, 104, 109, 110, 113, 114, 133, 135, 138, 141, 152, 166, 168 appear to all fall into this category. The CDOW does not know of any specific issues with these properties. Some of these may be important parcels for wildlife such as Mountain Plover. Hopefully the proper protection will be required prior to disposition.
- 5) Disposal (Category I) - Several of the parcels that you listed in this category are adjacent to US Forest Service lands (8, 13, 156). The CDOW recommends placing these lands in the exchange category for exchange with the USFS. There are also several parcels adjacent to State Land Board managed lands (30, 69, and 163). The CDOW recommends placing these lands in the exchange category for exchange with the SLB.
- 6) Disposal (Category I) - There are two parcels (#118, 121) south of Fairplay which we feel the BLM should place in category II (Retention). These parcels are extremely important winter habitat for elk. These parcels are also used by numerous other species during the year.

The CDOW would like to commend the BLM in attempting to better manage its properties. The CDOW is still concerned about the large loss of public land in Park County. The BLM's possible decision to dispose of 3,952 acres and exchange 19,330 acres of public lands is very substantial. With some of the BLM exchanges that have already occurred, the public has lost recreational access and huntable acreage. The CDOW has also lost the ability to manage wildlife on these now private lands. With the BLM possibly giving up 1/3 of their lands in Park County, the impact to the public and wildlife could be very substantial.

**BLM Response:** BLM staff met on numerous occasions with Colorado Division of Wildlife staff over the several years that this planning effort was ongoing. Efforts were made to incorporate CDOW comments in Alternative D, a vast improvement over previous alternatives and over the current management situation. Nevertheless BLM and CDOW may not agree on decisions for all the parcels involved in this plan amendment. Responses to comments identified above are as follows:

- 1) according to our records there are 8 of these 14 parcels that do not have public access. BLM considers flexibility concerning long-term State ownership and management of these parcels in the public interest for land management efficiency. BLM considered the proximity and adjacency of State Lands when considering land tenure adjustment. Many of these parcels are adjacent to state land and can be acquired by CDOW.
- 2) this is exactly what we envisioned with these parcels to exchange to another agency that can manage for the resources that are present. This is why they are included in the exchange-restricted category.
- 3) BLM considers flexibility concerning long-term State ownership and management of these parcels in the public interest for land management efficiency. BLM considered the proximity and adjacency of State Lands when considering land tenure adjustment. Several of these parcels are not adjacent to State Land Board properties as stated. BLM met with a representative of the state land board, explained our process and encourage SLB to become involved. They did not attend any meetings or provide any comments throughout the process.
- 4) BLM agrees with the CDOW position on these parcels.
- 5) BLM met with the USFS during the scoping process. It takes an act of congress to change USFS boundaries, something that would have to be done to add these parcels to the USFS land base.
- 6) We understand there are some elk using this parcel but both lie very close to Fairplay and are mostly surrounded by subdivisions. Park County and the City of Fairplay have both indicated interest in these parcels for county or city facilities.

In summary, BLM will continue to coordinate land management decisions with the Colorado Division of Wildlife as we have for many years. The CDOW will be made aware of any land transactions and comments will be used in the NEPA process to address impacts to wildlife and wildlife habitat.